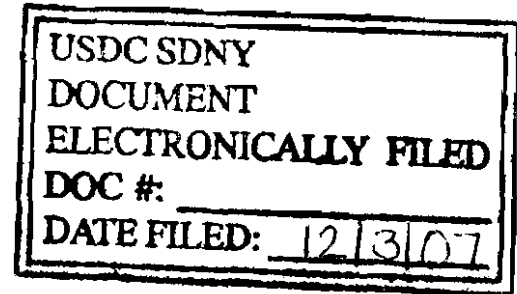


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**MEMO ENDORSED**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
COMBINED TACTICAL SYSTEMS, INC., :

Plaintiff, :

vs. :

DEFENSE TECHNOLOGY :  
CORPORATION OF AMERICA, and :  
FEDERAL LABORATORIES, INC., :

Defendants. :  
-----X

Civil No. 04 CIV. 8924 (MGC)

Hon. Miriam Goldman Cedarbaum

UNOPPOSED MOTION FOR LEAVE TO  
AMEND DTCA'S ANSWER TO THE  
FIRST AMENDED COMPLAINT

Defendants Defense Technology Corporation of America and Federal Laboratories, Inc.  
(collectively, "DTCA") move this Court for leave to amend DTCA's Answer to the First  
Amended Complaint filed on March 8, 2007. DTCA has since engaged in sales of its accused  
23DS Drag-Stabilized Bean Bag Rounds to the United States government. DTCA seeks to  
amend its Answer to the First Amended Complaint to include an affirmative defense that DTCA  
is not liable for damages stemming from sales to the United States under 28 U.S.C. § 1498(a),  
which reads in part:

Whenever an invention described in and covered by a patent of the United States  
is used or manufactured by or for the United States without license of the owner  
thereof or lawful right to use or manufacture the same, the owner's remedy shall  
be by action against the United States in the United States Court of Federal  
Claims for the recovery of his reasonable and entire compensation for such use  
and manufacture.

*Unopposed motion granted.  
So ordered.  
December 3, 2007*

*3 United States District Judge*